

A2
child
least one lateral edge region of the elastomeric layer, the elastic film or plug having a width-to-thickness ratio greater than about 5;

a first facing material bonded to a first side of the elastomeric layer; and

a second facing material bonded to a second side of the elastomeric layer,

wherein a lateral edge of at least one elastic film or plug is aligned with a lateral edge of each of the first and second facing materials.

REMARKS

Applicants respectfully request favorable reconsideration of the subject application, particularly in view of the above Amendment and the following remarks.

Amendment to the Claims

Claims 1-6, 8-12, 14-16 and 26-34 remain in this application. Claims 7, 13 and 17-25 have been canceled without prejudice.

Applicants have amended independent Claim 1 to require that each of the elastic filaments has a width-to-thickness ratio of less than about 2 and that the at least one stretch edge includes an elastic film or plug having a width-to-thickness ratio greater than about 5. This amendment is fully supported in the specification, for example at page 8, lines 5-14, and page 14, line 19 through page 15, line 2.

Similarly, Applicants have amended independent Claim 26 to require at least one elastomeric layer including a plurality of elastomeric filaments in a central region of the elastomeric layer, each of the elastomeric filaments having a width-to-thickness ratio of less than about 2 and an elastic film or plug in at least one lateral edge region of the elastomeric layer, the elastic film or plug having a width-to-thickness ratio greater than about 5. This amendment is fully supported in the specification, for example at page 8, lines 5-14, and page 14, line 19 through page 15, line 2.

Attached hereto is a marked-up version of the changes made to the pending claims by this Amendment. The above Amendment adds no new matter to this Patent Application.

Election/Restriction

Applicants affirm the election made with traverse to prosecute the invention of Group I, Claims 1-16, and 26-34. Thus, Applicants have canceled Claims 17-25, without prejudice.

Claim Rejections - 35 U.S.C. § 103

The rejection of Claims 1-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,057,024 (“Mleziva et al.”) is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Mleziva et al. teaches a composite elastic material including an anisotropic elastic fibrous web, which includes at least one layer of anisotropic elastomeric ribbon-shaped elements. The ribbon-shaped element is a filament having a flatness ratio of at least about 2.0, preferably about 4.0, more preferably at least about 6.0.

Mleziva et al. does not teach or suggest a stretch edge elastic laminate having a plurality of elastic filaments bonded to a first nonwoven facing material to form an elastic laminate zone, wherein each elastic filament has a width-to-thickness ratio of less than about 2 and at least one stretch edge positioned along a first lateral edge of the elastic laminate and including an elastic film or plug having a width-to-thickness ratio greater than about 5.

As set forth in the DEFINITION section of Applicants' specification, at page 8, lines 5-14, a "stretch edge" includes an elastic film or plug adjacent to at least one facing layer at one or both edges (i.e. extending all the way to one or both edge boundaries) of the laminate. The elastic film or plug desirably has a thickness of about 0.003 inch to about 0.015 inch, *and a width-to-thickness ratio of greater than about 5, more desirably greater than about 10, still more desirably about 15 to about 80. Filaments, by contrast, typically have a width-to-thickness ratio not more than about 2.*

Mleziva et al. merely teaches a composite elastic material wherein an anisotropic elastic fibrous web includes filaments having a flatness ratio of at least about 2.0, preferably about 4.0, more preferably at least about 6.0. Mleziva et al. provides no motivation to one having ordinary skill in the art to modify Mleziva et al. to arrive at Applicants' claimed invention, as alleged by the Examiner.

Accordingly, Applicants respectfully urge that Mleziva et al. does not render Applicants' claimed invention obvious in the manner required by 35 U.S.C. § 103(a). Thus, Applicants respectfully request withdrawal of this rejection.

The rejection of Claims 16-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,690,627 ("Clear") is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Clear teaches an absorbent article having elastically extensible fit panels and elastic waist features. The absorbent article comprises a containment assembly having a liquid pervious topsheet, a liquid impervious backsheet, an absorbent core disposed between the topsheet and the backsheet, elasticized leg cuffs, and fit panels having longitudinally oriented elastic extensibility. Clear at Col. 2, lines 42-52. Contrary to the Examiner's allegation in paragraph 24 of the Office Action, the absorbent core of Clear is not the same or similar to the elastomeric filaments of Applicants' claimed invention. The absorbent core of Clear is a conventional absorbent layer positioned between the topsheet and the backsheet to absorb and

contain body exudates. The absorbent core can be any liquid absorbent material commonly used in disposable diapers, such as comminuted wood pulp. Clear at Col. 5, lines 40-60.

The fit panel of Clear preferably comprises a laminate including the topsheet and the backsheet. In an especially preferred embodiment, a portion of the topsheet and the backsheet are joined to an elastic member. A particularly preferred elastic member will comprise an adhesive film such as Findley adhesive 198-338. Clear at Col. 11, lines 35-46. Alternatively, the fit panel may comprise a structural elastic-like film web, which is defined as an extensible material that exhibits an elastic-like behavior in the direction of elongation without the use of added elastic materials.

Clear does not teach or suggest certain limitations of the present invention as claimed in amended independent Claim 26. Namely, Clear does not teach or suggest a garment comprising a stretch edge elastic laminate which includes at least one elastomeric layer including a plurality of elastomeric filaments in a central region of the elastomeric layer, each of the elastomeric filaments having a width-to-thickness ratio of less than about 2, and an elastic film or plug in at least one lateral edge region of the elastomeric layer, the elastic film or plug having a width-to-thickness ratio greater than about 5. Further, Clear provides no motivation to one

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having ordinary skill in the art to modify Clear to arrive at Applicants' claimed invention, as alleged by the Examiner.

Accordingly, Applicants respectfully urge that Clear does not render Applicants' claimed invention obvious in the manner required by 35 U.S.C. § 103(a). Thus, Applicants respectfully request withdrawal of this rejection.

CONCLUSION

Applicants intend to be fully responsive to the outstanding Office Action. If the Primary Examiner detects any issue which the Primary Examiner believes Applicants have not addressed in this response, Applicants' undersigned attorney requests a telephone call from the Examiner. The undersigned can be reached at (847) 490-1400.

Applicants sincerely believe that this Patent Application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

1. (Amended) A stretch edge elastic laminate, comprising:
a plurality of elastic filaments substantially aligned in a machine direction, each of the elastic filaments having a width-to-thickness ratio of less than about 2;
a first nonwoven facing material bonded to a first side of the elastic filaments to form an elastic laminate zone; and
at least one stretch edge positioned along a first lateral edge of the elastic laminate, the at least one stretch edge forming a first gasket zone, and including an elastic film or plug having a width-to-thickness ratio greater than about 5.

Please cancel Claim 7.

Please cancel Claim 13.

26. (Amended) A disposable garment comprising a stretch edge elastic laminate, the stretch edge elastic laminate comprising:

at least one elastomeric layer including a plurality of elastomeric filaments in a central region of the elastomeric layer, each of the elastomeric filaments having a width-to-thickness ratio of less than about 2 and an elastic film or plug in at least one lateral edge region of the elastomeric layer, the elastic film or plug having a width-to-thickness ratio greater than about 5;

a first facing material bonded to a first side of the elastomeric layer; and

a second facing material bonded to a second side of the elastomeric layer,

wherein a lateral edge of at least one elastic film or plug is aligned with a lateral edge of each of the first and second facing materials.